

elected from district in which voter could vote and called for required numbers of candidates receiving highest number of votes to become senators for their districts.

Section 616, act Apr. 30, 1900, ch. 339, § 62, 31 Stat. 152, made qualifications for voters for senator and for all other elections same as qualifications for voters casting votes for representative.

Section 617, acts Apr. 30, 1900, ch. 339, § 60, 31 Stat. 151; June 26, 1930, ch. 620, 46 Stat. 818, set out qualifications required for an elector to vote for representative.

Section 618, act June 13, 1918, ch. 97, §§ 1, 2, 4, 40 Stat. 604, authorized extension of franchise to women, and was repealed by act Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029. See Const. Amend. 19.

Section 619, act Apr. 30, 1900, ch. 339, § 63, 31 Stat. 152, prevented from voting all persons who were in Hawaii by reason of being in Army or Navy or being attached to troops of the United States.

Section 619a, act Apr. 30, 1900, ch. 339, § 64, 31 Stat. 152, continued in force rules and regulations for administering oaths and holding elections.

Section 620, act Apr. 30, 1900, ch. 339, § 65, 31 Stat. 153, authorized legislature to establish and alter boundaries of election districts and voting precincts and apportion senators and representatives to be elected from such districts.

### §§ 631 to 633. Omitted

#### CODIFICATION

Sections 631 to 633, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 631, act Apr. 30, 1900, ch. 339, § 81, 31 Stat. 157, made provision for vesting of judicial power in courts and continued in force the courts' jurisdiction and procedure previously in force.

Section 632, acts Apr. 30, 1900, ch. 339, § 82, 31 Stat. 157; June 15, 1950, ch. 250, 64 Stat. 216, set out size and organization of supreme court, appointment and qualifications of its members, and provisions for filling of vacancies therein.

Section 633, acts Apr. 30, 1900, ch. 339, § 80, 31 Stat. 156; Mar. 3, 1905, ch. 1465, § 2, 33 Stat. 1035; July 9, 1921, ch. 42, § 312, 42 Stat. 119; May 9, 1956, ch. 237, § 1, 70 Stat. 130, called for presidential appointment of members of supreme court and circuit courts and set tenure and qualifications of judges.

### §§ 634, 634a. Repealed. Pub. L. 86-3, § 14(e), Mar. 18, 1959, 73 Stat. 10

Section 634, acts Apr. 30, 1900, ch. 339, § 92, 31 Stat. 159; May 27, 1910, ch. 258, § 8, 36 Stat. 448; July 9, 1921, ch. 42, § 314, 42 Stat. 120, related to salaries of justices of supreme court and circuit courts.

Section 634a, acts May 29, 1928, ch. 904, § 1, 2, 45 Stat. 997; Apr. 30, 1956, ch. 226, § 1, 70 Stat. 123, related to salaries of justices of supreme court and circuit courts.

### §§ 634b, 634c. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992

Section 634b, acts May 31, 1938, ch. 301, § 1, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 1, 60 Stat. 90, related to retirement of justices and judges.

Section 634c, acts May 31, 1938, ch. 301, § 2, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 2, 60 Stat. 90, related to computation of years of service.

### §§ 635, 636. Omitted

#### CODIFICATION

Sections 635 and 636, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 635, acts Apr. 30, 1900, ch. 339, § 83, 31 Stat. 157; Apr. 1, 1952, ch. 127, § 1, 66 Stat. 32, continued in force all laws relating to judicial departments and procedure,

but made certain changes with reference to membership qualifications for membership on juries.

Section 636, acts Apr. 30, 1900, ch. 339, § 84, 31 Stat. 157; May 27, 1910, ch. 258, § 6, 36 Stat. 447, set out standards for disqualification of jurors who were related by affinity or consanguinity with a person interested in case being tried and for disqualification of judges in certain cases.

#### DISTRICT COURT

### §§ 641 to 644. Repealed. June 25, 1948, ch. 646, § 8, 39, 62 Stat. 986, 992

Section 641, acts Apr. 30, 1900, ch. 339, § 86(a), (d), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; July 31, 1946, ch. 704, § 1, 60 Stat. 716, related to district court, sessions, powers, terms. See section 81 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 642, acts Apr. 30, 1900, ch. 339, § 86(c), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 167; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to jurisdiction of district court and authority of officers. See sections 81 et seq., 451 et seq., 501 et seq., 531 et seq., and 1331 et seq. of Title 28.

Section 642a, acts Aug. 13, 1940, ch. 662, 54 Stat. 784; Apr. 29, 1948, ch. 241, § 1, 62 Stat. 204, related to jurisdiction of cases arising on Midway, Wake, Johnston, etc., Islands. See section 91 of Title 28.

Section 643, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and term of office of judges, district attorney, and marshal. See sections 133, 134, 501, 504, and 541 of Title 28.

Section 644, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1412; July 9, 1921, ch. 42, § 313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and salaries of clerks, deputy clerks and reporters. See sections 604, 751, and 753 of Title 28.

### § 644a. Jurisdiction of district court of cases arising on or within Midway, Wake, Johnston, Sand, etc., Islands; laws applicable to jury trials

The jurisdiction of the United States District Court for the District of Hawaii is extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Palmyra Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belong-

ing to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

(June 15, 1950, ch. 253, 64 Stat. 217; Mar. 18, 1959, Pub. L. 86-3, §14(j), 73 Stat. 11; July 12, 1960, Pub. L. 86-624, §19, 74 Stat. 416.)

#### AMENDMENTS

1960—Pub. L. 86-624 struck out Kure Island.

1959—Pub. L. 86-3 extended jurisdiction to cases arising on or within Palmyra Island.

#### EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-3 effective on admission of the State of Hawaii into the Union, see note set out under section 91 of Title 28, Judiciary and Judicial Procedure. Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 25 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of this title.

#### CANTON AND ENDERBURY ISLANDS; SOVEREIGNTY OF KIRIBATI

By a treaty of friendship, TIAS 10777, which entered into force Sept. 23, 1983, the United States recognized the sovereignty of Kiribati over Canton Island and Enderbury Island.

#### CROSS REFERENCES

Juries and trial by jury, generally, see chapter 121 of Title 28, Judiciary and Judicial Procedure.

Special maritime and territorial jurisdiction of the United States defined, see section 7 of Title 18, Crimes and Criminal Procedure.

United States District Court for the District of Hawaii, see section 91 of Title 28, Judiciary and Judicial Procedure.

Venue of offenses committed upon high seas or out of the jurisdiction of any State or district, see section 3238 of Title 18, Crimes and Criminal Procedure.

#### § 645. Repealed. Pub. L. 86-3, §14(f), Mar. 18, 1959, 73 Stat. 10

Section, acts Apr. 30, 1900, ch. 339, §86, 31 Stat. 158; Mar. 3, 1909, ch. 269, §1, 35 Stat. 838; Mar. 11, 1911, ch. 231, §291, 36 Stat. 167; Mar. 4, 1920, ch. 161, §1, 41 Stat. 1412; July 9, 1921, ch. 42, §313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, §1, 44 Stat. 919; Jan. 31, 1928, ch. 14, §1, 45 Stat. 54; July 31, 1946, ch. 704, §1, 60 Stat. 716; June 25, 1948, ch. 646, §§8, 39, 62 Stat. 986, 992, related to removal of causes and appeal. See section 91 of Title 28, Judiciary and Judicial Procedure and notes thereunder.

#### § 646. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992

Section, act Apr. 30, 1900, ch. 339, §86a, as added June 19, 1939, ch. 211, 53 Stat. 841, related to rules in civil actions. See section 2072 of Title 28, Judiciary and Judicial Procedure.

#### § 651. Omitted

#### CODIFICATION

Section, acts Apr. 30, 1900, ch. 339, §85, 31 Stat. 158; June 28, 1906, ch. 3582, 34 Stat. 550, which provided for

the election of a Delegate to the House of Representatives of the United States to serve during each Congress, was omitted in view of the admission of Hawaii into the Union.

#### §§ 661 to 678. Omitted

#### CODIFICATION

Sections 661 to 678, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 661, act July 7, 1898, No. 55, §1, 30 Stat. 750, provided that Congress of the United States shall enact special laws for management and disposition of public lands.

Section 662, act Apr. 30, 1900, ch. 339, §99, 31 Stat. 161, which declared to be property of Hawaiian Government portion of public domain known prior to April 30, 1900, as Crown land.

Section 663, acts Apr. 30, 1900, ch. 339, §73(a), (b), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, §304, 42 Stat. 116, defined "public lands", "commissioner", "land board", and "person", and incorporated by reference certain other defined terms.

Section 664, acts Apr. 30, 1900, ch. 339, §73(c), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, declared that laws of Hawaii relating to public lands, settlement of boundaries and issuance of patents on land commission awards, shall continue in force until Congress shall otherwise provide.

Section 664a, act Sept. 26, 1941, ch. 426, §1, 55 Stat. 734, ratified Hawaiian realty transactions consummated on or before November 25, 1941.

Section 664b, act Sept. 26, 1941, ch. 426, §2, 55 Stat. 734, provided that realty transaction so ratified shall be deemed and held to be perfect and valid from day of date thereof.

Section 665, acts Apr. 30, 1900, ch. 339, §73(d), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117; Aug. 28, 1958, Pub. L. 85-803, §1, 72 Stat. 971, prescribed terms and conditions of leases on public lands.

Section 666, acts Apr. 30, 1900, ch. 339, §73(e), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, §304, 42 Stat. 117, directed that all funds arising from sale or lease of public lands be appropriated by laws of government of the territory of Hawaii.

Section 667, acts Apr. 30, 1900, ch. 339, §73(f), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, set out requirements for those who would be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or special homestead agreement. Section was also classified to section 1509 of this title.

Section 668, acts Apr. 30, 1900, ch. 339, §73(g), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 444; July 9, 1921, ch. 42, §304, 42 Stat. 117, prescribed limitations on alienation of public lands for which certificates of occupancy have been issued. Section was also classified to section 1510 of this title.

Section 669, acts Apr. 30, 1900, ch. 339, §73(h), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §305, 42 Stat. 118, set out provisions for forfeiture of lands for noncompliance with prior provisions.

Section 670, acts Apr. 30, 1900, ch. 339, §73(i), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §305, 42 Stat. 118; July 27, 1939, ch. 383, §1, 53 Stat. 1126; July 9, 1952, ch. 617, 66 Stat. 515; Apr. 6, 1956, ch. 180, §1, 70 Stat. 102; Aug. 1, 1956, ch. 854, 70 Stat. 918, determined persons entitled to take under certificates of occupation, lease or agreement.

Section 671, acts Apr. 30, 1900, ch. 339, §73(j), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, §5, 36 Stat. 445; July 9, 1921, ch. 42, §306, 42 Stat. 118, gave commissioner, with approval of governor, right to give preferences in purchasing of public lands. Section was also classified to section 1511 of this title.